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8 Securities, LLC, and SL Hare Capital, Inc.

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 HARRY W. PLICHTA, Individually and on  
Behalf of All Others Similarly Situated,

14 Plaintiff,

15 v.

16 SUNPOWER CORPORATION, THOMAS  
17 H. WERNER, DENNIS V. ARRIOLA,  
EMMANUEL T. HERNANDEZ,  
18 DEUTSCHE BANK SECURITIES INC.,  
CREDIT SUISSE SECURITIES (USA) LLC,  
19 LAZARD CAPITAL MARKETS LLC,  
BARCLAYS CAPITAL INC, PIPER  
20 JAFFRAY & CO., WACHOVIA CAPITAL  
MARKETS, LLC n/k/a/ WELLS FARGO  
21 SECURITIES, LLC, SL HARE CAPITAL,  
INC., T.J. RODGERS, W. STEVE  
22 ALBRECHT, BETSY S. ATKINS,  
PATRICK WOOD, III and UWE-ERNST  
23 BUFE,

24 Defendants.

Case No. CV 09-5473-RS  
(Consolidated)

CLASS ACTION

STIPULATION AND ~~PROPOSED~~ ORDER  
REGARDING RESPONSE DATE AND  
BRIEFING SCHEDULE

WHEREAS, on June 28, 2010, the Court endorsed the parties proposed schedule regarding deadlines for filing a response to the consolidated complaint;

WHEREAS, the June 28, 2010 schedule provided that defendants would file their responses to the consolidated complaint on or before July 29, 2010 and, if any of those responses were a motion, plaintiffs would file an opposition on September 15, 2010, defendants would file any reply on October 14, 2010, and a hearing would be held on November 4, 2010;

WHEREAS, the parties have met and conferred and have agreed as a matter of professional courtesy to extend all briefing dates by one week, subject to the Court's approval, which extension will not affect the hearing schedule;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the undersigned parties as follows:

1. Defendants shall respond to the consolidated complaint on or before August 5, 2010;
2. In the event any of the defendants respond to the consolidated complaint by motion, lead plaintiffs' opposition to such motion shall be filed on or before September 22, 2010;
3. Defendants shall file any reply papers on or before October 21, 2010; and
4. In the event any of the defendants respond to the consolidated complaint by motion, the date for hearing any such motions shall remain November 4, 2010 at 1:30 p.m., or at such time thereafter that is convenient to the Court, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

Dated: July 26, 2010

SHEARMAN & STERLING LLP

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1 Dated: July 26, 2010

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11 Dated: July 26, 2010

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2  
3 Dated: 7/26/10



HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE